

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re PEGASYSTEMS INC. SECURITIES
LITIGATION

) No. 1:22-cv-11220-WGY

)
) SUPPLEMENTAL DECLARATION OF
ROSS D. MURRAY REGARDING NOTICE
DISSEMINATION AND REQUESTS FOR
EXCLUSION RECEIVED TO DATE

I, ROSS D. MURRAY, declare and state as follows:

1. I am employed as a Vice President of Securities by Gilardi & Co. LLC (“Gilardi”), located at 1 McInnis Parkway, Suite 250, San Rafael, California. Pursuant to the May 15, 2024 Order Preliminarily Approving Settlement and Providing for Notice (“Notice Order”) (ECF 147), Gilardi was appointed as the Claims Administrator in connection with the proposed Settlement of the above-captioned litigation (the “Litigation”). I oversaw the notice services that Gilardi provided in accordance with the Notice Order.

2. I submit this declaration as a supplement to my earlier declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (the “Initial Mailing Declaration”) (ECF 155). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and if called to testify I could and would do so competently.

UPDATE ON DISSEMINATION OF NOTICE

3. As more fully detailed in the Initial Mailing Declaration, as of August 13, 2024, Gilardi had mailed or emailed a total of 25,670 Postcard Notices and six copies of the Notice of Pendency and Proposed Settlement of Class Action and Proof of Claim and Release form (collectively, the “Claim Package”) to potential Settlement Class Members and their nominees. Additionally, Gilardi received

messages from one institution noting that they anticipated sending Postcard Notices via email to 17,520 potential Settlement Class Members. *See* Initial Mailing Declaration, ¶11.

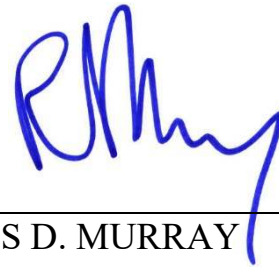
4. Since August 13, 2024, Gilardi has mailed or emailed an additional 2,068 Postcard Notices in response to requests from potential Settlement Class Members, brokers, and nominees and as a result of mail returned as undeliverable for which new addresses were identified and re-mailed to those new addresses. Therefore, as of September 11, 2024, Gilardi has mailed or emailed a total of 27,738 Postcard Notices and six Claim Packages to potential Settlement Class Members and nominees.

REQUESTS FOR EXCLUSION RECEIVED TO DATE

5. Pursuant to the Notice Order, the Notice informs potential Settlement Class Members that written requests for exclusion from the Settlement Class must be mailed to *Pegasystems Securities Settlement*, Claims Administrator, c/o Gilardi & Co. LLC, EXCLUSIONS, P.O. Box 5100, Larkspur, CA 94977-5100, such that they are postmarked no later than August 29, 2024. At the time of the Initial Mailing Declaration, Gilardi reported that it had received one request for exclusion in connection with this Settlement. *See* Initial Mailing Declaration, ¶16.

6. Since the Initial Mailing Declaration was executed, and as of the date of this declaration, Gilardi has received 24 additional requests for exclusion. A spreadsheet detailing all requests for exclusion is attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 11th day of September, 2024, at San Rafael, California.



ROSS D. MURRAY

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 12, 2024.

/s/ Chad Johnson

CHAD JOHNSON